

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America

v.

JORGE ALEXANDER GUTIERREZ-ROMERO  
Citizen of HONDURAS  
YOB: 1992

Case No. M-19-1311-M

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 4, 2019 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

## Code Section

Title 18, U.S.C. 111(a)(1)

## Offense Description

whoever forcibly assaults, resists, opposes, impedes, intimidates, or  
interferes with any person designated in section 1114 of Title 18 while  
engaged in or on account of the performance of official duties.

This criminal complaint is based on these facts:

See Attachment A

☒ Continued on the attached sheet.Approved Michael Mitchell  
Mike Mitchell 6-6-19

Complainant's signature

Marc Salinas, TFO, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 6/6/19 @ 8:22 a.m.City and state: McAllen, Texas

Judge's signature

Juan F. Alanis, United States Magistrate Judge

Printed name and title

## **Attachment "A"**

### **Affidavit**

I, Marc R. Salinas, being first duly sworn, state as follows:

1. I, Marc R. Salinas, am a Task Force Officer with the Federal Bureau of Investigation (FBI) in McAllen, Texas, and have been so assigned since June, 2013. I am currently assigned to the Rio Grande Valley Safe Streets Task Force in McAllen, Texas.

2. The information contained in this affidavit is based on my personal knowledge and on information provided to me by other agents of the FBI, law enforcement officers, and other sources of information. This affidavit serves to provide the probable cause in support of a complaint against Jorge Alexander Gutierrez Romero for violating Title 18, U.S.C., Section 111 (a)(1), Assaulting a Federal Officer.

3. On June 4, 2019 at approximately 5PM, in accordance with his official duties as a Border Patrol Agent (BPA), BPA R.E. was patrolling in Hidalgo, Texas, when he was alerted to several subjects who had climbed the fence near the Old Hidalgo Pumphouse Museum and World Birding Center located in Hidalgo, Texas.

4. When BPA R.E. responded to the area, he joined BPA C.R. in searching for the individuals. They observed two males sitting on two separate picnic tables in an area near the Old Pumphouse. The two males both had wet clothing and appeared to be nervous. BPA C.R. approached and spoke with one male while BPA R.E. joined another BPA nearby and they approached the other male, later identified as Jorge Alexander Gutierrez Romero (hereinafter "GUTIERREZ-ROMERO").

5. BPA R.E. and the other BPA questioned GUTIERREZ-ROMERO regarding his citizenship at which point he admitted to not having papers to be present in the United States legally. BPA R.E. stood GUTIERREZ-ROMERO up and had him turn around and placed a handcuff on one of his hands.

6. After placing the handcuff, BPA R.E. observed that BPA C.R. was struggling with the other male and BPA R.E. went to assist BPA C.R. in apprehending him. Once both BPAs had apprehended the male, BPA R.E. observed that GUTIERREZ-ROMERO had become resistant against the other BPA and was grabbing at the BPA's chest, trying to break the agent's grip at which point the BPA took GUTIERREZ-ROMERO to the ground. GUTIERREZ-ROMERO was able to push himself off the ground and support himself with his elbows.

7. BPA R.E. returned to assist in the apprehension and attempted to control GUTIERREZ-ROMERO's right arm. While doing so, GUTIERREZ-ROMERO struck at BPA R.E. with his elbow and struck him on his right cheek with his elbow.


7. BPA R.E. was able to maintain control of GUTIERREZ-ROMERO's arm and they were subsequently able to apprehend GUTIERREZ-ROMERO.

8. Approximately four hours after the incident, BPA R.E. had a visible red mark on his face and noticeable swelling.

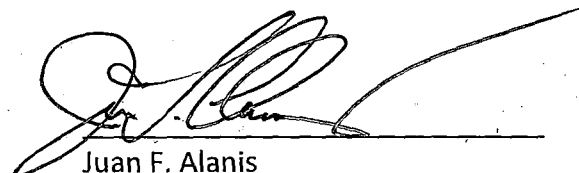
7. BPA R.E. is a Border Patrol Agent, an officer and employee of the United States, namely a person designated in section 1114 of Title 18.

8. Subsequent to the apprehension of GUTIERREZ-ROMERO, it was determined that GUTIERREZ-ROMERO was a citizen of Honduras, and was illegally present in the United States.

9. Based on the aforementioned factual information, your Affiant respectively submits that GUTIERREZ-ROMERO committed violations of Title 18, United States Code, Section 111 (a)(1), Assaulting a Federal Officer.

  
Marc R. Salinas  
Task Force Officer  
Federal Bureau of Investigation

Sworn to and subscribed before me this 6<sup>th</sup> day of June 6, 2019.

  
Juan F. Alanis  
United States Magistrate Judge